

REMARKS

Rejection under 35 USC §103(a)

In the Office Action, Claims 1-16, 19-45, 47-50, 52-68, 71-96, and 99 are rejected under 35 USC §103(a) over U.S. Patent No. 6,184,847 ("the '847 patent"). Further, Claims 17, 18, 46, 51, 69, 70, 97 and 98 are rejected under 35 USC §103(a) over U.S. Patent No. 5,602,566 ("the '566 patent") and further in view of U.S. Patent No. 6,178,403 ("the '403 patent"). Claims 1-2, 9, 12-13, 32-33, 35, 40-44, 47-50, 52-59, 63-67, 71-72, 76-77, 80, 83-84, 86, 89, 91-95, and 99 are amended herein merely to correct informalities. No new matter has been introduced.

Independent claims 1, 32, 55, 83 and 99 are rejected over the '847 patent. It is respectfully submitted that the '847 patent does not qualify as prior art because the subject application and the '847 patent were, at the time of the subject application was made, owned by the same party, Vega Vista, Inc.

In view of the foregoing statement regarding the ownership of the subject application and the '847 patent, it is respectfully requested that the Examiner withdraw the rejections of the independent claims in the subject application. Further, since the dependent claims depend on a base claim for which no qualified prior art has been cited, it is respectfully requested that the Examiner withdraw the rejections of the dependent claims as well.

CONCLUSION

In view of the foregoing, Applicants submit that the claims pending in the application are in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4441.

If a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 59559-8009.US01 from which the undersigned is authorized to draw.

Dated:

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Respectfully submitted,

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